

### **REMARKS**

Applicant has rewritten claim 8 to include the limitations of claims 10 and 12. Therefore, claims 10 and 12 have been cancelled. Applicant has also amended claim 11 to be dependent on claim 8.

In the aforementioned Office Action, claims 8-10 were rejected under 35 U.S.C. §102(b) as being anticipated by Beldyk (U.S. Patent Number 5,042,655) and claims 11-14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Beldyk. Since claim 8 has been amended to include the limitation of claim 12, it is Applicant's contention that the rejection under 35 U.S.C. §102 is now moot.

In rejecting claims 11-14, the Examiner stated:

Beldyk fails to disclose a second surface comprising inorganic material. However, Beldyk teaches that the first surface comprises material for the purpose of dissipating static charge (col. 5, lines 51-52). One of ordinary skill in the art would therefore recognize the advantage of providing for a second surface which comprises metal depending on the number of surfaces which are desired to have static dissipation in the end product.

It is respectfully submitted that the above reasoning is flawed. In fact, the cited reference refutes the Examiner's arguments. As stated therein at Column 5, lines 52-55,

Metal is ideal for dissipating electric charge but is undesirable for this box top and bottom members because of weight, corrosion, expense and the like.

Further, the cited reference relates to a different problem i.e., static dissipation and does not refer to a problem of preventing a emission of an organic contaminate gas.

Accordingly, it is Applicant's contention that the rejection of claims 8, 9, 11, 13, and 14 should be withdrawn.

Amended claim 8 and dependent claims 9, 11, 13, and 14 also call for with said inorganic material completely surrounding the pellicle. It is Applicant's contention that this concept is not even remotely suggested by the cited reference. Accordingly, it is Applicant's contention that amended claim 8 and dependent claims 9, 11, 13 and 14 should be allowed.

In rejecting claims 11-14, the Examiner stated:

...Beldyk fails to disclose a metallized layer having total thickness of 0.05 to 0.1 inches (col. 7, lines 5-6). One of ordinary skill in the art would have recognized the utility of varying the thickness depending on the static dissipation of the desired end product as taught by Beldyk. Therefore, a suitable thickness would be readily determined through routine optimization of a thickness.

In rejecting claim 12 as being obvious over Beldyk, the Examiner admitted that Beldyk fails to disclose a metallized layer having a thickness of at least 0.1  $\mu\text{m}$ . The Examiner nevertheless argued (page 4, line 12, of the Action) that Beldyk discloses a layer having a total thickness of 0.05 to 0.1 inches (col. 7, lines 5-6). However, at column 7, lines 3-6 of Beldyk reads "preferred materials are polyethylene, Teflon, polycarbonate and polystyrene having a thickness of about 0.05 to 0.1 inch more preferably about 0.07 to 0.09 inch."

It is quite clear that Beldyk is not referring to a metal layer. Further, there is no suggestion whatsoever in Beldyk that the thickness of the metallized layer should be at least 0.1  $\mu\text{m}$ . This argument is supported because the metallized layer in Beldyk is provided with an object to dissipate electric static charges. As stated above, Beldyk did not address the issue of out gassing of a plastic resin material.

Further, the importance of the 0.1  $\mu\text{m}$  metal layer is clearly pointed out at paragraph 0020 on page 8 of Applicant's specification which discusses the problem of the thickness.

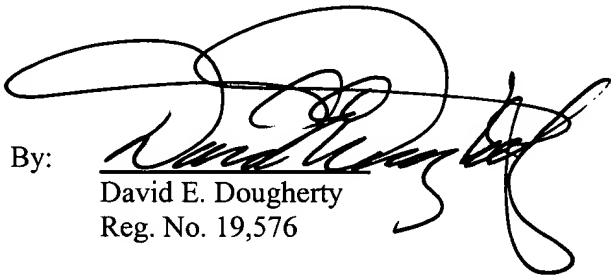
It is Applicant's contention that there is nothing in the Beldyk reference to suggest a material which is capable of preventing emission of an organic contaminate gas from a plastic substrate or that out gassing can be prevented by increasing the thickness of the metallized layer to exceed 0.1  $\mu\text{m}$ . This is an unexpected discovery which lead to the present invention i.e., that out gassing from the plastic substrate can be fully prevented only when the inorganic cladding layer has a thickness of at least 0.1  $\mu\text{m}$ .

Since all of the claims are now in proper form and clearly and patentably distinguished over the cited art, prompt favorable action is requested.

Respectfully submitted,

July 12, 2004  
Date

By:

  
David E. Dougherty  
Reg. No. 19,576

Dennison, Schultz, Dougherty & MacDonald  
1727 King Street  
Suite 105  
Alexandria, Virginia 22314  
Tel: 703-837-9600 - Ext. 17  
Fax: 703-837-0980  
DED:VJB